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DEPARTMENT FOR ISN/CPI FOR WUCHTE

E.O. 12958: N/A

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SUBJECT: IMPLEMENTATION OF UNSCR 1540 IN SOUTHEAST
ASIA-ASEAN

11. (SBU) Summary. A two-day regional consultative workshop, held in Jakarta on May 28-29 for countries of the Association of Southeast Asian Nations (ASEAN), considered ways in which regional and other states, as well as relevant international organizations, could cooperate in the implementation of United Nations Security Council Resolution (UNSCR) 1540 within Southeast Asia. The workshop was jointly organized by the Center for Strategic and International Studies (CSIS) in Jakarta, the Institute for International Relations (IRIS) in Geneva, the French Ministry of Foreign Affairs (which provided funding) and the Indonesian Department of Foreign Affairs. Despite Indonesia's co-sponsorship of the workshop, its chief representative questioned the basis for UNSCR 1540, in effect declining to support its implementation. Officials from the United States, France and Australia provided input for discussion in the ASEAN Regional Forum toward effecting greater transparency among the committee, regional member states and prospective donors in responding to assistance requests. End summary.

12. (U) Workshop organizers accomplished the overarching goals of the seminar and demonstrated the value of sub-regional outreach and the partnership of nongovernmental organizations (NGOs) in furthering 1540 implementation. The French Ministry of Foreign Affairs organized the workshop in collaboration with Indonesia's CSIS and the Geneva-based Institute for International Relations (IRIS). Major themes included: 1) identifying and understanding the precise needs of different states in the ASEAN region with respect to nonproliferation, 2) identifying common problems and solutions related to implementation of the resolution in ASEAN and 3) developing a common perspective on challenges concerning assistance. A final session suggested possible ways ahead.

13. (SBU) Speeches by the French Ambassador and the Slovak Ambassador to Indonesia (speaking on behalf of the New York Committee Chair) focused on the significance of regional and sub-regional outreach to gather further momentum. Several NGOs interested in funding implementation expressed strong support for the objectives of the seminar. The participation of the U.S. 1540 Coordinator explained the capabilities of the 1540 committee and the potential role of regional organizations. Since no committee representative was able to travel to the seminar, participating U.S. and French officials offered a committee perspective.

¶4. (SBU) Throughout the workshop, French MFA and MOD officials seemed surprised by the lack of progress in the work of the committee in better informing regional member states of the opportunities possible through UNSCR 1540. (Note: Despite the holding of several outreach events in 2006, the French UN mission apparently has only recently engaged with Paris on UNSCR 1540. Although endorsing 1540 objectives, France appears to have viewed implementation of UNSCR 1540 as a task primarily for New York missions.) In private discussions on the margins of the conference, French officials said their involvement in organizing the workshop had helped raise French awareness of the need to reinvigorate the committee and reach decisions.

INDONESIA QUESTIONS THE RESOLUTION ITSELF

¶5. (SBU) Desra Percaya, Director for International Security and Disarmament in the Indonesian Department of Foreign Affairs, stated Indonesia's reservations regarding UNSCR 1540's adoption. Percaya asserted that the resolution lacked legitimacy, that ASEAN states should not be obligated to go further than submitting a report, and that the lack of disarmament progress by major powers made implementation of 1540 an unjust burden. Percaya proposed replacing UNSCR 1540 with a multilateral treaty to avoid what he deemed "legislating implementation through a Security Council resolution." Both the U.S. and French representatives countered with the prevailing view that UNSCR 1540 should be seen as an opportunity and not a constraint.

¶6. (SBU) In a bilateral meeting with Deputy Director for Disarmament Andy Rachmianto before the workshop, U.S. 1540 Coordinator explained U.S. implementation strategy, shared a copy of the overview of U.S. assistance programs and

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discussed the value of regional organizations. Coordinator appealed for Indonesian leadership on the Security Council 1540 Committee to facilitate implementation of provisions and agreement of provisions for technical assistance. Coordinator stressed such leadership would encourage nations in need of capacity building to seek assistance through concrete requests. Rachmianto responded that Indonesia remained skeptical of the basis for UNSCR 1540 because it imposed obligations without the full consent of all member states. Indonesia therefore preferred to work through existing multilateral frameworks and was reluctant to develop a separate implementation plan. When pressed to join the Proliferation Security Initiative, Rachmianto said the Indonesian government was facing new challenges from the legislature (DPR) on foreign policy issues, to the point that the Indonesian President had been requested to explain Indonesia's support for Iran sanctions resolution UNSCR 1747. In this context, the optics of joining PSI currently were unfavorable.

THE WAY AHEAD

¶7. (U) The following recommendations were put forward by participants. The comments are in no order of priority and represent a general overview of outcomes:

-- Although many programs are under way in the region, the committee needs to increase its transparency and dialogue with each nation toward providing technical assistance.

-- Understanding the legal requirements of UNSCR 1540 is challenging to the countries of the region, and most admitted they had no capacity.

-- Action plans or road maps are a key to getting states to make specific assistance requests which can be acted upon. Privately, however, some states say they lack the wherewithal to organize their interagency.

-- UNSCR 1540 can become the standard from which states view

an approach to address all aspects of the nonproliferation spectrum. Outreach on UNSCR 1540 therefore remains vital.

-- The UN 1540 website would better facilitate the sharing of information if it were kept up to date and more user-friendly.

COMMENT

18. (SBU) Indonesia's resistance on UNSCR 1540 draws into question the objective of endorsement by and implementation through the ASEAN Regional Forum (ARF). Given Indonesia's position, ASEAN nations will likely not reach a common position without strong countervailing input from other non-ASEAN ARF members such as China, Japan and Korea.
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